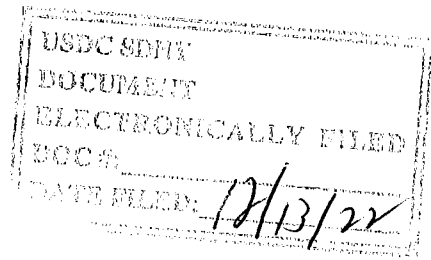


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----X  
CORDERRO JAVON JONES,  
Plaintiff,

v.

LT. FALCO and SGT. CARR,  
Defendants.  
-----X**ORDER**

20 CV 3485 (VB)

Copies Mailed Faxed Tr at 3 addresses in order  
Chambers of Vincent L. Briccetti 12/13/22 JH

Plaintiff, proceeding pro se, commenced this action on May 5, 2020. (Doc. #1). At that time, plaintiff was incarcerated at Orange County Correctional Facility. In an information package mailed to plaintiff on May 13, 2020, plaintiff was directed to update the Court in writing of any change of address, and warned that his case could be dismissed if he failed to do so.

The Court scheduled an initial case management conference for July 27, 2020, at which plaintiff failed to appear. (Doc. #13). When defense counsel phoned Orange County Correctional Facility, counsel was informed that plaintiff was being transferred to another correctional facility. (*Id.*). The Court issued an Order adjourning the conference and reminding plaintiff that it was his obligation to update the Court in writing of any changes in address. (*Id.*). On August 27, 2020, the Court received a letter from plaintiff stating he had been transferred to FCI Cumberland. (Doc. #17).

On July 21, 2021, following a case management conference at which plaintiff and defense counsel appeared by phone, the Court instructed the Clerk to update plaintiff's address on the docket to USP Victorville. (Doc. #29).

On August 25, 2022, the Court denied defendants' motion for summary judgment. (Doc. #52).

On October 6, 2022, the parties appeared by phone at a case management conference held on the record. At the conference, plaintiff told the Court he was soon to be released and moved to a residential reentry facility in New York. The Court issued an Order: (i) scheduling a case management conference for December 13, 2022, at 12:30 p.m. at the White Plains courthouse; (ii) directing the parties to discuss settlement in good faith; (iii) reminding plaintiff to advise the Court in writing of any change of address; and (iv) directing plaintiff that either he or his counsel, if plaintiff were to retain counsel, must attend the December 13 conference in person. (Doc. #54). This Order was mailed to plaintiff at USP Victorville.

Today, the Court held an on-the-record case management conference at which defense counsel appeared in person. Plaintiff failed to appear, without excuse or explanation. Plaintiff's failure to appear or seek an adjournment wasted the time of the Court and defense counsel.

Further, to date, plaintiff has failed to notify the Court of any change in address. According to the Bureau of Prisons website, plaintiff is currently in the custody of Residential Reentry Management New York and will be released on January 15, 2023. However, according to plaintiff's probation officer, plaintiff may be residing at 3230 Cruger Avenue, Apt. 41, Bronx, NY 10467.

Accordingly, it is HEREBY ORDERED:

1. **By January 10, 2023, plaintiff must update the Court in writing as to his current address. If plaintiff fails to do so, the Court will deem this case abandoned and dismiss the case for failure to prosecute or to comply with Court Orders. Fed. R. Civ. P. 41(b). As the Court has previously warned, it is plaintiff's responsibility to inform the Court if his address changes. Failure to do so will result in dismissal of this case.**

2. A case management conference is now scheduled for **January 20, 2023, at 11:00 a.m.**, at the White Plains courthouse, Courtroom 620.

3. If plaintiff retains counsel before the January 20, 2023, conference, his counsel is directed to attend the conference. However, if plaintiff has not retained counsel by the January 20 conference, plaintiff must attend the conference in person. **If plaintiff fails to appear at the conference on January 20, 2023, either in person or through counsel, without excuse or explanation, the Court will deem his failure to appear to be an abandonment of the case and will dismiss the case for failure to prosecute or comply with Court orders. Fed. R. Civ. P. 41(b).**

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to plaintiff at the following addresses:

Corderro Jones, Reg. No. 86801-054  
RRM New York  
Residential Reentry Office  
P.O. Box 329014  
Brooklyn, NY 11232

Corderro Jones, Reg. No. 86801-054  
RRM New York  
100 29th Street  
Brooklyn, NY 11232

Coderro Jones  
3230 Cruger Avenue, Apt. 41  
Bronx, NY 10467

Dated: December 13, 2022  
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti", written over a horizontal line.

Vincent L. Briccetti  
United States District Judge